

PROB 22
(Rev. 2/88)DOCKET NUMBER (*Tran. Court*)
CR03-0011C**TRANSFER OF JURISDICTION**DOCKET NUMBER (*Rec. Court*)

4:06CR153

NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE: Tobechi Enyinnaya Onwuhara 1100 Meredith Ln. Plano, TX 75093	DISTRICT Western District of Washington	DIVISION Seattle	
	NAME OF SENTENCING JUDGE Chief United States District Judge John C. Coughenour		
	DATES OF PROBATION/SUPERVISED RELEASE:	FROM October 27, 2003	TO October 26, 2006

OFFENSE

18 U.S.C. § 1029(a)(5) and (b)(1) Illegal Transactions and Attempted Transactions With Credit Card Access Devices

PART 1 - ORDER TRANSFERRING JURISDICTION

United States District Court for the Western District of Washington

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the Eastern District of Texas upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*

4/28/06

Date

JLC/SL
United States District Judge

*This sentence may be deleted in the discretion of the transferring Court.

PART 2 - ORDER ACCEPTING JURISDICTION

United States District Court for the Eastern District of Texas

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

5-17-06

Effective Date

Paul Brown
United States District Judge FILED_____
FILED

LODGED

RECEIVEDU.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

JUN 5 2006

MAY 24 2006

DAVID J. MALAND, CLERK
BY DEPUTYAT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

**U.S. District Court
WESTERN DISTRICT OF WASHINGTON (Seattle)
CRIMINAL DOCKET FOR CASE #: 2:03-cr-00011-JCC-2**

Case title: USA v. Nnabue
Magistrate judge case number: 2:02-mj-00648

Date Filed: 01/09/2003

Assigned to: John C Coughenour

Defendant

Tobechi Enyinnaya Onwuharar (2)

TERMINATED: 05/23/2003

also known as

Xavier Charles Alexander

also known as

Tobechi Enyinnaya Onwuvara

represented by **Michael Craig Nance**
615 2ND AVE
STE 760
PENTHOUSE SUITE
SEATTLE, WA 98104
206-624-3211
Fax: FAX 587-0226
Email: minance@aol.com
TERMINATED: 05/23/2003
LEAD ATTORNEY
Designation: CJA Appointment

Pending Counts

18:1029(a)(5) and 1029(b)(1) Illegal
Transactions and attempted transactions
with credit card access devices
(1s)

Disposition

12 months and 1 day imprisonment; 3
years supervised release; fine waived;
\$100 penalty; \$58,531.15 restitution;
Texas facility recommended; deft
remains in custody

Highest Offense Level (Opening)

Felony

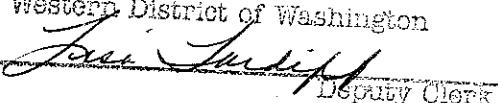
Terminated Counts

18:1344 & 2 ATTEMPTED BANK
FRAUD
(1)

18:371 CONSPIRACY TO USE
UNAUTHORIZED CREDIT CARD
ACCESS DEVICES
(2)

18:1029(a)(2) & (b)(1) & 2
ATTEMPTED USE OF
UNAUTHORIZED CREDIT CARD
ACCESS DEVICE

Disposition

CERTIFIED TRUE COPY
ATTEST: BRUCE RIFKIN
Clerk, U.S. District Court
Western District of Washington
By 
Deputy Clerk

(3)

18:1028(a)(3) POSSESSION WITH
 INTENT TO USE UNLAWFULLY
 FIVE OR MORE IDENTIFICATION
 DOCUMENTS

(4)

Highest Offense Level (Terminated)

Felony

Complaints**Disposition**

None

Plaintiff**United States of America**

represented by **Lawrence R Lincoln**
 US ATTORNEY'S OFFICE (SEA)
 700 STEWART ST
 STE 5220
 SEATTLE, WA 98101-1271
 206-553-7970
 Email: Lawrence.Lincoln@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/13/2002	1	COMPLAINT Magistrate Judge John L. Weinberg [2:02-m -648] (HAZ) (Entered: 12/16/2002)
12/14/2002		DEFENDANT Abel Nnabue, Xavier Charles Alexander arrested [2:02-m -648] (HAZ) (Entered: 12/16/2002)
12/16/2002	2	Arrest Warrant returned executed as to Xavier Charles Alexander 12/14/02 [2:02-m -648] (HAZ) (Entered: 12/19/2002)
12/16/2002	5	FINANCIAL AFFIDAVIT as to Xavier Charles Alexander [2:02-m -648] (HAZ) (Entered: 12/19/2002)
12/16/2002	6	MOTION to detain by USA as to Xavier Charles Alexander [2:02-m -648] (HAZ) (Entered: 12/19/2002)
12/16/2002	8	MINUTES of INITIAL : JLW, Dep Clerk HAZ, AUSA L LINCOLN, Def Counsel M NANCE(XA), O JUPITER(AN), Tape # A-1298, USPTO S MOORE/L KAMAN, Intrp NOT NEEDED first appearance of Abel Nnabue, Xavier Charles Alexander , Attorney present; Defts advised of rights/charges, Govt moves for detention; preliminary exam set for 11:30 12/17/02 for Abel Nnabue, for Xavier Charles Alexander ;

		detention hearing set for 11:30 12/17/02 for Abel Nnabue, for Xavier Charles Alexander, Defts remanded [2:02-m -648] (HAZ) (Entered: 12/19/2002)
12/17/2002	10	DECLARATION of Lawrence Lincoln by plaintiff USA re motion to detain by USA as to Abel Nnabue [7-1], re motion to detain by USA as to Xavier Charles Alexander [6-1] [2:02-m -648] (HAZ) (Entered: 12/19/2002)
12/17/2002	11	MINUTES of PRELIMINARY/DETENTION HEARING : JLW, Dep Clerk J NOTHERN, AUSA L LINCOLN, Def Counsel O JUPITER (AN), M NANCE(XA), Tape # A-1298, USPT S CAVENDISH, Intpr NOT NEEDED, Agent Monroe sworn and testifies, CT finds probable cause, Counsel argue detention, CT rules GRANTING motion to detain by USA as to Abel Nnabue [7-1], GRANTING motion to detain by USA as to Xavier Charles Alexander [6-1], Defts remanded [2:02-m -648] (HAZ) (Entered: 12/19/2002)
12/18/2002	9	CJA Form 20 (Appointment of Counsel)for Xavier Charles Alexander ; appointing Michael Nance; [2:02-m -648] (HAZ) (Entered: 12/19/2002)
12/18/2002	12	DETENTION ORDER of Xavier Charles Alexander pending Trial by Magistrate Judge John L. Weinberg (cc: counsel, Mag. Judge, PTS, Jgm. Bk., USMO) [2:02-m -648] (HAZ) (Entered: 12/19/2002)
01/09/2003	14	INDICTMENT by USA Lawrence R Lincoln. Counts filed against Abel Nnabue (1) count(s) 1, 2, 3, Xavier Charles Alexander (2) count(s) 1, 2, 3, 4 (JK) (Entered: 01/10/2003)
01/09/2003	16	ORDER CONTINUING DETENTION by Magistrate Judge Monica J. Benton as to Tobechi Enyinnaya Onwuharar (JK) (Entered: 01/10/2003)
01/23/2003	18	MINUTES of Arraignment as to T. Onwuhabara : MJB, Dep Clerk PV, AUSA L. Lincoln, Def Counsel M. Nance, Tape # A-1314, USPT/USPO N/A, Intpr N/A dft Tobechi Enyinnaya Onwuhabara arraigned; PLEADS NOT GUILTY TO CHARGES of the Indictment. Attorney present; pretrial motions due by 2/13/03 for Tobechi Enyinnaya Onwuhabara; jury trial scheduled for 9:00 3/3/03 for Tobechi Enyinnaya Onwuhabara deft remanded (LS) (Entered: 01/27/2003)
01/31/2003		LODGED ORDER: re: REPORT AND RECOMMENDATION regarding plea of guilty as to defendant Abel Nnabue NOTED FOR 2/17/03 [23-1] (LS) (Entered: 02/03/2003)
02/10/2003	24	TRANSCRIPT of proceedings for the following date(s): 1/31/03 (Re: Plea Hearing) CR initials: S. Palmerton (SA) (Entered: 02/10/2003)
02/14/2003		LODGED STIPULATION AND ORDER CONTINUNING MOTIONS CUTOFF DATE (LS) (Entered: 02/18/2003)
02/18/2003	25	MINUTE ORDER by Chief Judge John C. Coughenour pretrial motions continued to 2/20/03 for Tobechi Enyinnaya Onwuhabara; response due 2/24/03; reply due 2/25/03 (cc: counsel, Judge) (VK) (Entered: 02/18/2003)

02/24/2003	<u>27</u>	SUPERSEDING Information naming Tobechi Enyinnaya Onwuharar Tobechi Enyinnaya Onwuharar (2) count(s) 1s (MD) (Entered: 02/25/2003)
02/24/2003	<u>28</u>	WAIVER OF INDICTMENT by defendant Tobechi Enyinnaya Onwuharar (VK) (Entered: 02/25/2003)
02/24/2003	<u>29</u>	CONSENT TO RULE 11 PLEA in a felony case by Tobechi Enyinnaya Onwuharar (VK) (Entered: 02/25/2003)
02/24/2003	<u>30</u>	PLEA AGREEMENT as to Tobechi Enyinnaya Onwuharar (FILED UNDER SEAL) (VK) (Entered: 02/25/2003)
02/24/2003	<u>31</u>	MINUTES of guilty plea on consent as to Tobechi Enyinnaya Onwuharar: RSM, Dep Clerk LW, AUSA L. Lincoln, Def Counsel M. Nance, CR Sue Palmerton, USPT/USPO n/a, Intpr n/a; Tobechi Enyinnaya Onwuharar enters guilty plea to superseding information; sentencing hearing set for 9:00 5/23/03 for Tobechi Enyinnaya Onwuharar; deft remanded (VK) (Entered: 02/25/2003)
02/24/2003	<u>32</u>	REPORT AND RECOMMENDATION regarding plea of guilty as to defendant Tobechi Enyinnaya Onwuharar NOTED FOR 3/14/03 by Magistrate Judge Ricardo S. Martinez (cc: counsel, Judge, USPO) (VK) (Entered: 02/25/2003)
02/24/2003		LODGED ORDER: re: REPORT AND RECOMMENDATION regarding plea of guilty as to defendant Tobechi Enyinnaya Onwuharar NOTED FOR 3/14/03 [32-1] (VK) (Entered: 02/25/2003)
02/26/2003	<u>33</u>	RECEIPT # 731777; US Passport #75571941 of Abel N. Nnabue (LS) (Entered: 02/27/2003)
03/05/2003	<u>34</u>	TRANSCRIPT of proceedings for the following date(s): 2/24/03 (Re: Plea hearing deft. Tobechi Onwuhabra) CR initials: S. Palmerton (SA) (Entered: 03/06/2003)
03/12/2003	<u>35</u>	ORDER OF ACCEPTANCE OF PLEA OF GUILTY, ADJUDICATION OF GUILT, AND NOTICE OF SENTENCING as to Tobechi Enyinnaya Onwuhabra by Chief Judge John C. Coughenour re: as to charge contained in Superseding Information (cc: counsel, Judge, USPO, PTS) (LS) (Entered: 03/13/2003)
04/08/2003	<u>37</u>	MINUTES: sentencing hearing continued to 9:00 5/30/03 for Abel Nnabue (cc: Judge, all counsel) (LS) (Entered: 04/10/2003)
05/21/2003	<u>38</u>	SENTENCING MEMORANDUM re Tobechi Enyinnaya Onwuhabra by defendant Tobechi Enyinnaya Onwuhabra (LS) (Entered: 05/21/2003)
05/22/2003	<u>39</u>	SENTENCING MEMORANDUM re Tobechi Enyinnaya Onwuhabra by plaintiff USA (MD) (Entered: 05/22/2003)
05/23/2003	<u>40</u>	MINUTES of sentencing as to Tobechi Enyinnaya Onwuhabra: JCC, Dep Clerk GG, AUSA L. Lincoln, Def Counsel M. Nance, CR Donna Hunter (Vernon), USPT/USPO T. White, Intpr n/a; sentencing Tobechi

		Enyinnaya Onwuharar (2) on count 1s of superseding information to 12 months and 1 day imprisonment; 3 years supervised release; fine waived; \$100 penalty; \$58,531.15 restitution; Texas facility recommended; deft remains in custody; remaining counts as to Tobechi Enyinnaya Onwuharar dismissed (VK) (Entered: 05/27/2003)
05/23/2003	<u>41</u>	JUDGMENT IN A CRIMINAL CASE by Chief Judge John C. Coughenour as to Tobechi Enyinnaya Onwuharar (cc: counsel, Judge, USMO, USPO, PTS, Fin'l) Entered on: 5/27/03 (VK) (Entered: 05/27/2003)
06/23/2003	<u>46</u>	CJA 20 as to Tobechi Enyinnaya Onwuharar aka Xavier Charles Alexander: Authorization to Pay MICHAEL NANCE. Amount: \$ \$3,541.70, Voucher # 030619000082 signed by Judge John C Coughenour.(LS,) (Entered: 07/07/2003)
09/08/2005	<u>51</u>	Satisfaction of Monetary Imposition as to defendant Tobechi Enyinnaya Onwuharar. (cc: Financial) (Bartlett, Anastasia) (Entered: 09/08/2005)
04/28/2006	<u>55</u>	PROBATION PETITION/ORDER by Judge John C. Coughenour. As to dft Tobechi Enyinnaya Onwuhar, to modify conditions of supervision and the transfer of Jurisdiction to the ED of Texas. (CL,) (Entered: 04/28/2006)
05/24/2006	<u>56</u>	ORDER GRANTING TRANSFER OF PROBATION JURISDICTION to the Eastern District of Texas as to defendant Tobechi Enyinnaya Onwuharar by Judge John C Coughenour. (cc: USPO, Fin.) (LT,) (Entered: 05/25/2006)
05/26/2006	<u>57</u>	Letter from clerk to USDC - Eastern District of Texas regarding Order Transferring Probation Jurisdiction as to defendant Tobechi Enyinnaya Onwuharar. (LT,) (Entered: 05/26/2006)

RUN ON 05/26/06

FEDERAL COURT SYSTEMS
WEST. DIST. OF WASHINGTON
CASE INQUIRY REPORT

PAGE: 1

CASE NO: 2:03-CR-0011-2 TITLE: USA VS TOBECHI ENYINNAYA ONWUHARA

	DEFENDANT #	ORDERED AMOUNT	AMOUNT PAID	BALANCE DUE	ACCOUNT	PAYMENT TYPE
2	ONWUHARA, TOBECHI ENYINNAYA	100.00	100.00	0.00	504100	SPECIAL ASSESSMENT
2	ONWUHARA, TOBECHI ENYINNAYA	58,531.15	58,531.15	0.00	6855XX	RESTITUTION
		-----	-----	-----		
		58,631.15	58,631.15	0.00		

	PAYEE	OWED	PAID	BALANCE OWED
1	DISCOVER FINANCIAL SERVICES	58,531.15	58,531.15	0.00
		-----	-----	-----
		58,531.15	58,531.15	0.00

TRANSACTION	RECEIPT/ VOUCHER NUMBER	RECEIPT/ VOUCHER DATE	INCREASE/ (DECREASE) CASE BAL	TYPE OF TRANS- ACTION	ACCOUNT NUMBER	DEFENDANT PAYEE/BANK NUMBER	U.S. TREASURY	COMMERCIAL BANKS	OTHER
RECEIVED	21040818501	12/09/03		100.00	MO	504100	2		100.00
RECEIVED	21040818502	12/09/03		25.00	MO	6855XX	2		25.00
RECEIVED	21040834601	01/13/04		50.00	MO	6855XX	2		50.00
DISBURSED	108842-	1	01/15/04	-25.00	CV	6855XX	1		-25.00
DISBURSED	109098-	1	02/11/04	-50.00	CV	6855XX	1		-50.00
RECEIVED	22060440902	02/17/04		150.00	MO	6855XX	2		150.00
DISBURSED	109325-	1	03/03/04	-150.00	CV	6855XX	1		-150.00
RECEIVED	20031520701	03/16/04		800.00	CK	6855XX	2		800.00
DISBURSED	109578-	1	04/01/04	-800.00	CV	6855XX	1		-800.00
RECEIVED	20031565801	04/15/04		700.00	CK	6855XX	2		700.00
DISBURSED	109946-	1	04/26/04	-700.00	CV	6855XX	1		-700.00
RECEIVED	24090260101	05/18/04		700.00	CK	6855XX	2		700.00
DISBURSED	110296-	1	06/03/04	-700.00	CV	6855XX	1		-700.00
RECEIVED	20031660101	06/16/04		700.00	CK	6855XX	2		700.00
DISBURSED	110499-	1	06/28/04	-700.00	CV	6855XX	1		-700.00

RECEIVED	21040928101	07/16/04	800.00	MO	6855XX	2	800.00	
DISBURSED	110796-	1	08/05/04	-800.00	CV	6855XX	1	-800.00
RECEIVED	20031776201	09/08/04	150.00	MO	6855XX	2	150.00	
DISBURSED	111400-	1	10/18/04	-150.00	CV	6855XX	1	-150.00
RECEIVED	20031845401	10/25/04	1,000.00	MO	6855XX	2	1,000.00	
RECEIVED	20031871001	11/15/04	16,000.00	CK	6855XX	2	16,000.00	
DISBURSED	111608-	1	11/16/04	-1,000.00	CV	6855XX	1	-1,000.00
DISBURSED	111710-	1	12/01/04	-16,000.00	CV	6855XX	1	-16,000.00
RECEIVED	20031915501	12/15/04	1,000.00	CK	6855XX	2	1,000.00	
DISBURSED	111994-	1	12/28/04	-1,000.00	CV	6855XX	1	-1,000.00
RECEIVED	21041041001	01/21/05	600.00	MO	6855XX	2	600.00	
DISBURSED	112330-	1	02/14/05	-600.00	CV	6855XX	1	-600.00
RECEIVED	21041083101	03/03/05	9,000.00	CK	6855XX	2	9,000.00	
DISBURSED	112767-	1	03/23/05	-9,000.00	CV	6855XX	1	-9,000.00
RECEIVED	23585229701	05/10/05	600.00	CK	6855XX	2	600.00	
RECEIVED	23585229601	05/10/05	2,000.00	CK	6855XX	2	2,000.00	
DISBURSED	113211-	1	05/25/05	-2,600.00	CV	6855XX	1	-2,600.00
RECEIVED	21041179701	06/17/05	2,000.00	CK	6855XX	2	2,000.00	
DISBURSED	113441-	1	07/07/05	-2,000.00	CV	6855XX	1	-2,000.00
RECEIVED	20031996701	07/22/05	8,000.00	CK	6855XX	2	8,000.00	
RECEIVED	23585284401	07/26/05	10,000.00	CK	6855XX	2	10,000.00	
RECEIVED	21041225501	08/03/05	4,256.15	CK	6855XX	2	4,256.15	
DISBURSED	113805-	1	08/19/05	-22,256.15	CV	6855XX	1	-22,256.15

***** CASE SUMMARY *****

TOTAL CASE BALANCE: 100.00

BALANCE IN U.S. TREASURY:
CASE DEPOSITORY MAINT. BALANCE : 0.00
0.00

BALANCE IN COMMERCIAL BANKS:
CASE DEPOSITORY MAINT. BALANCE : 0.00
0.00

DEPOSITS TO RECEIPT ACCOUNTS: 100.00

TYPE OF TRANSACTION:

AD: ADJUSTMENT-388800	AJ: ADJUSTMENT	BV: BANK VOUCHER
BD: DIRECT BANK DEPOSIT	BT: BANK TRANSFER	CC: CREDIT CARD
CK: CHECK	CL: COLLATERAL	CN: CONVERSION
CV: CASE VOUCHER	DW: DIRECT WITHDRAWL	CR: CASE REFUND
I : INTEREST	MO: MONEY ORDER	DV: DEBIT VOUCHER
		FF: FORFEITURE
		TR: TRANSFER
		VD: VOID

Presented to the Court by the foreman of the
Grand Jury in open Court, in the presence of
the Grand Jury and FILED in The U.S.
DISTRICT COURT at Seattle, Washington.

JANUARY 9, 2003
By BRUCE RIFKIN, Clerk
Deputy

CERTIFIED TRUE COPY
ATTEST: BRUCE RIFKIN
Clerk, U.S. District Court
Western District of Washington

By *Jessie Murphy*, Deputy Clerk

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ABEL NGOZICHUKWU NNABUE, AND
TOBECHI ENYINNAYA ONWUHARA,

Defendants.

CR03 0011C

INDICTMENT



CR03 0011 00000014

THE GRAND JURY CHARGES THAT:

COUNT ONE
(Attempted Bank Fraud)

1. Beginning on a date unknown, but in or about December 2002, and continuing until on or about December 12, 2002, within the Western District of Washington, defendants ABEL NGOZICHUKWU NNABUE, and TOBECHI ENYINNAYA ONWUHARA attempted to execute a scheme and artifice to defraud the Washington Mutual Bank, a financial institution as defined in Title 18, United States Code, Section 20, and to obtain money, funds, and credits under the custody and control of that Bank by means of false and fraudulent pretenses and representations.

Methods and Means of the Scheme

2. It was part of the scheme to defraud that defendants ABEL NGOZICHUKWU NNABUE and TOBECHI ENYINNAYA ONWUHARA obtained unauthorized credit cards in names other than their own true names.

3. It was further part of the scheme to defraud that defendants ABEL NGOZICHUKWU NNABUE and TOBECHI ENYINNAYA ONWUHARA obtained counterfeit driver's licenses and other identification documents in names other than their own true names. The names on the counterfeit driver's licenses matched the names on some of the credit cards described above.

4. It was further part of the scheme to defraud that defendants ABEI, NGOZICHUKWU NNABUE and TOBECHI ENYINNAYA ONWUHARA drove to the Lynnwood Fred Meyer branch of the Washington Mutual Bank in Lynnwood, Washington, for the purpose of obtaining, without authorization, a cash advance using credit cards described above.

5. It was further part of the scheme to defraud that defendant TOBECHI ENYINNAYA ONWUHARA presented two of the unauthorized credit cards and a counterfeit driver's license as identification to employees of the aforementioned Bank, and requested a cash advance using one of the credit cards. Defendant ABEL NGOZICHUKWU NNABUE remained outside of the Bank to serve as the getaway driver.

6. It was further part of the scheme to defraud that, after Bank employees refused to provide the cash advance described above, defendants ABEL NGOZICHUKWU NNABUE and TOBECHI ENYINNAYA ONWUHARA fled the Bank in the car driven by defendant ABEL NGOZICHUKWU NNABUE with law enforcement officers in pursuit, and thereafter attempted to elude law enforcement officers.

Execution of the Scheme

7. On or about December 12, 2002, within the Western District of Washington, for the purpose of executing and attempting to execute the aforementioned scheme and artifice to defraud the Washington Mutual Bank, and to obtain money, funds, and credits under the custody and control of the Bank by means of false and fraudulent pretenses and representations, defendants ABEL NGOZICHUKWU NNABUE and TOBECHI ENYINNAYA ONWUHARA presented, and aided and abetted the

1 presentation of, unauthorized credit cards and a counterfeit Texas driver's license bearing
2 the name of Robert Palmer to the Washington Mutual Bank, and thereby attempted to
3 obtain, without authorization from the true credit card holder, a cash advance in the
4 amount of \$5,000.00.

5 All in violation of Title 18, United States Code, Section 1344 and Section 2.

6
COUNT TWO
7 (Conspiracy to Use Unauthorized Credit Card Access Devices)

8 1. Beginning on or about a date unknown, but not later than December 12,
9 2002, within the Western District of Washington, defendants ABEL NGOZICHUKWU
10 NNABUE and TOBECHI ENYINNAYA ONWUHARA, and others unknown to the
11 Grand Jury, did knowingly and willfully combine, conspire, and agree to commit an
12 offense against the United States, that is, to knowingly, and with intent to defraud, use
13 one or more unauthorized credit card access devices, in and affecting interstate
14 commerce, and by such conduct to obtain money, goods, and services of a value in excess
15 of \$1,000 during a one-year period, in violation of Title 18, United States Code, Section
16 1029(a)(2) and Section 2.

17 **Overt Acts**

18 In furtherance of the conspiracy, and to accomplish the object of the conspiracy,
19 defendants ABEL NGOZICHUKWU NNABUE and TOBECHI ENYINNAYA
20 ONWUHARA committed or caused to be committed one or more of the following overt
21 acts:

22 2. On or about a date unknown, but not later than on or about December 12,
23 2002, defendants ABEL NGOZICHUKWU NNABUE and TOBECHI ENYINNAYA
24 ONWUHARA received and obtained lists containing over 50 names and associated
25 addresses, dates of birth, telephone numbers and social security numbers, for the purpose
26 of obtaining and using unauthorized credit cards and counterfeit driver's licenses in some
27 or all of those names.

3. On or about a date unknown, but not later than on or about December 12, 2002, defendants ABEL NGOZICHUKWU NNABUE and TOBECHI ENYINNAYA ONWUJHARA obtained unauthorized credit cards in names other than their own true names.

4. On or about a date unknown, but not later than on or about December 12, 2002, defendants ABEL NGOZICHUKWU NNABUE and TOBECHI ENYINNAYA ONWUIJARA obtained counterfeit driver's licenses and other identification documents in names other than their own true names. The names on the counterfeit driver's licenses matched the names on some of the credit cards described above.

5. On or about December 12, 2002, defendants ABEL NGOZICHUKWU NNABUE and TOBECHI ENYINNAYA ONWUHARA drove to a branch of the Washington Mutual Bank in Lynnwood, Washington, for the purpose of obtaining, without authorization, a cash advance using two of the credit cards described above.

6. On or about December 12, 2002, defendant TOBECHI ENYINNAYA ONWUHARA presented two of the unauthorized credit cards and a counterfeit driver's license as identification to employees of the aforementioned Bank, and requested a cash advance using the credit cards. Defendant ABEL NGOZICHUKWU NNABUE remained outside of the Bank to serve as the getaway driver.

7. On or about December 12, 2002, after Bank employees refused to provide the cash advance described above, defendants ABEL NGOZICHUKWU NNABUE and TOBECHI ENYINNAYA ONWUHARA fled the Bank in the car driven by defendant ABEL NGOZICHUKWU NNABUE, with law enforcement officers in pursuit, and thereafter attempted to elude law enforcement officers.

All in violation of Title 18, United States Code, Section 371.

COUNT THREE

(Attempted Use of Unauthorized Credit Card Access Device)

On or about December 12, 2002, at Lynnwood, within the Western District of Washington, defendants ABEL NGOZICHUKWU NNABUE and TOBECHI

1 ENYINNAYA ONWUHARA knowingly, and with the intent to defraud, attempted to
2 use, and aided and abetted the attempted use of, an unauthorized access device, to wit, a
3 Discover credit card in the name of Robert Palmer, in and affecting interstate commerce,
4 and by such conduct attempted to obtain money, goods, and services, in an amount
5 exceeding \$1000 within a one year period.

6 All in violation of Title 18, United States Code, Sections 1029(a)(2) and (b)(1) and
7 Section 2.

8 **COUNT FOUR**
9 (Possession With Intent To Use Unlawfully Five Or More Identification Documents)

10 On or about December 12, 2002, at Lynnwood, within the Western District of
11 Washington, defendant TOBECHI ENYINNAYA ONWUHARA did knowingly possess,
12 in and affecting interstate commerce, with intent to use unlawfully, five or more
13 identification documents (other than those issued lawfully for the use of defendant
14 TOBECHI ENYINNAYA ONWUHARA) and false identification documents, that is,
15 counterfeit Texas driver's licenses in the names of Robert Charles Palmer, James Alex
16 Weaver, Roger Rickey Reynolds, and Thomas Michael Crowley, an Oklahoma driver's
17 license issued in the name of Xavier Charles Alexander but bearing the photograph of

18 //

19 //

20 //

21 //

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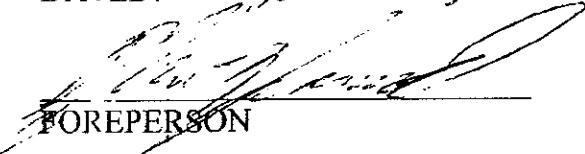
28 //

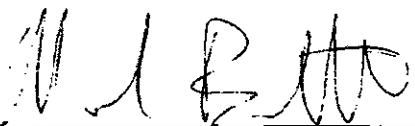
1 defendant TOBECHI ENYINNAYA ONWUHARA, and a social security card and
2 certificate of birth in the name of Xavier Charles Alexander.

3 All in violation of Title 18, United States Code, Section 1028(a)(3).

4 A TRUE BILL:

5 DATED: *09 Jan 2003*

6 
7 FOREPERSON

8 
9 JOHN MCKAY

10 United States Attorney

11 
12 SUSAN M. HARRISON

13 Assistant United States Attorney

14 
15 LAWRENCE LINCOLN

16 Assistant United States Attorney

1 CC TO JUDGE DJ

2 FILED 3 12 03

3 1300 4 12 03

4 1300 4 12 03 DJ

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1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF WASHINGTON
3 AT SEATTLE

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 TOBECHI ENYINNAYA ONWUHARA,

8 Defendant.

9 } NO. CR03-011C

10 } SUPERSEDING INFORMATION

11 THE UNITED STATES ATTORNEY CHARGES THAT:

12 **COUNT ONE**

13 (Illegal Transactions and Attempted Transactions
14 With Credit Card Access Devices)

15 Beginning in or about December 2001, and continuing until in or about December
16 2002, within the Western District of Washington and elsewhere, defendant TOBECHI
17 ENYINNAYA ONWUHARA, knowingly and with intent to defraud, effected
18 transactions and attempted to effect transactions with one or more access devices, as
19 defined in 18 U.S.C. § 1029(e)(1), which access devices had been issued to other persons,
20 that is, credit cards and credit card numbers issued in the names of Robert Charles
21 Palmer, James Alex Weaver, David Smith, Paul Brophy, Riyad Hossainy, John D. Smith,
22 and Keith G. Olson, for the purpose of receiving payments and other things of value
23 during that one-year time period in an amount totaling approximately Eighty Six
24

25 INFORMATION/ONWUHARA - 1

26 By *[Signature]* Deputy Clerk

27 CERTIFIED TRUE COPY
28 ATTEST: BRUCE RIFKIN
Clerk, U.S. District Court
Western District of Washington

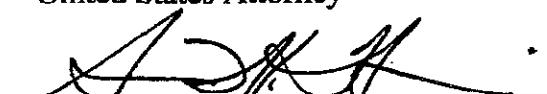
29 UNITED STATES ATTORNEY
30 601 UNION STREET, SUITE 5100
31 SEATTLE, WASHINGTON 98101-3903
(206) 553-7970

1 Thousand, Four Hundred Forty Seven Dollars and Twenty One Cents (\$86,447.21), said
2 transactions and attempted transactions affecting interstate commerce.

3 All in violation of 18 U.S.C. § 1029(a)(5) and § 1029(b)(1).

4
5 DATED this 24th day of February, 2003.
6

7 
8 For JOHN MCKAY
United States Attorney

9 
10 SUSAN M. HARRISON
Assistant United States Attorney

11 
12 LAWRENCE LINCOLN
13 Assistant United States Attorney

UNITED STATES DISTRICT COURT
Western District of Washington

UNITED STATES OF AMERICA

V

TOBECHI ENYINNAYA ONWUHARA

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: CR03-0011C

Michael C. Nance
Defendant's Attorney

MAY 23 2003
M.C.N.
FILED
LODGED
RECEIVED

THE DEFENDANT:

pleaded guilty to Count One of the Superseding Information

MAY 23 2003

pleaded nolo contendere to count(s) _____
which was accepted by the court

AT SEATTLE
CLERK U.S. DISTRICT COURT
BY WESTERN DISTRICT OF WASHINGTON
DEPUTY

was found guilty on count(s) _____
after a plea of not guilty

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 U.S.C. § 1029(a)(5) and (b)(1)	Illegal Transactions and Attempted Transactions With Credit Card Access Devices	12/12/02	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) _____

Count(s) _____ (is)(are) dismissed on the motion of the United States

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid

Defendant's Soc Sec No: 453-49-9119

LAWRENCE R. LINCOLN
Assistant United States Attorney

Defendant's Date of Birth: 07/24/79Defendant's USM No.: 32651-086

May 23, 2003
Date of Imposition of Sentence

Defendant's Residence Address
FDC SeaTac

Signature of Judicial Officer

THE HONORABLE JOHN C. COUGHENOUR
Chief United States District Judge

Name & Title of Judicial Officer

MAY 23 2003

Date



CR 03 00011 #00000041

CERTIFIED TRUE COPY

ATTEST: BRUCE RIFKIN
Clerk, U.S. District Court
Western District of Washington

By Bruce Rifkin

Defendant: TOBECHI ENYINNAYA ONWUHARA
Case Number: CR03-0011C

Judgment--Page 2 of 6

IMPRISONMENT

The Defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of twelve months and 1 day

- The court makes the following recommendations to the Bureau of Prisons.

That defendant be placed in a facility in Texas.

The defendant is remanded to the custody of the United States Marshal

The defendant shall surrender to the United States Marshal for this district

at a.m./p.m. on
 as notified by the United States Marshal

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons

before 2 p.m. on ,
 as notified by the United States Marshal
 as notified by the Probation or Pretrial Services Office

RETURN

I have executed this judgment as follows:

Defendant delivered on to at , with a certified copy of this judgment.

United States Marshal

By _____

Deputy U.S. Marshal

Defendant: TOBECHI ENYINNAYA ONWUHARA
 Case Number: CR03-0011C

Judgment--Page 3 of 6

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
Three (3) years

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime

The defendant shall not illegally possess a controlled substance

For offenses committed on or after September 13, 1994:

 The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer

XX The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check if applicable)

XX The defendant shall not possess a firearm as defined in 18 U S C § 921 (Check if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page (if indicated below).

SEE ATTACHED ADDITIONAL CONDITIONS OF SUPERVISION

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer 10 days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance, or any paraphernalia related to any controlled substance, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: TOBECHI ENYINNAYA ONWUHARA
Case Number. CR03-0011C

Judgment--Page 4 of 6

ADDITIONAL CONDITIONS OF SUPERVISION

1. The defendant shall be prohibited from possessing a firearm or destructive device as defined in 18 U.S.C. § 921
2. The defendant shall submit to mandatory drug testing pursuant to 18 U.S.C. § 3563(a)(5) and 18 U.S.C. § 3583(d). YES NO X
3. The defendant shall submit to a search of his person, residence, office, property, storage unit or vehicle conducted in a reasonable manner and at a reasonable time by a U.S. Probation Officer.
4. Restitution in the amount of \$58,531.15 is due immediately. Any unpaid amount is to be deducted from defendant's inmate recovery payment program while incarcerated. The remaining balance is to be paid during the period of supervision in monthly installments as directed by defendant's U.S. Probation Officer. Interest on restitution shall be waived
5. The defendant shall provide his U.S. Probation Officer with access to any requested financial information, including authorization to conduct credit checks and obtain copies of defendant's Federal Income Tax Returns.
6. The defendant shall be prohibited from incurring new credit charges or opening additional lines of credit without approval of defendant's U.S. Probation Officer.
7. The defendant shall not obtain or possess any driver's license, social security number, birth certificate, passport, or any other form of identification without the prior written approval of defendant's Probation Officer; further, the defendant shall not use, for any purpose or in any manner, any name other than defendant's true legal name
8. The defendant shall cooperate with and furnish financial information and statements to the Internal Revenue Service to determine all taxes due and owing, including interest and penalties, and shall file any past tax returns in a timely manner. The defendant shall pay in full any outstanding tax liability once assessed, including interest and penalties, or enter into an installment payment plan with Collection Division of the Internal Revenue Service

LRL
MCN

Defendant: TOBECHI ENYINNAYA ONWUHARA
 Case Number. CR03-0011C

Judgment--Page 5 of 6

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5,
 Part B

<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS: \$100 00	Waived	\$58,531 15

XX If applicable, restitution amount ordered pursuant to plea agreement \$ 58,531 15

FINE

XX The Court finds that the defendant is financially unable and is unlikely to become able to pay a fine and, accordingly, the imposition of a fine is waived.

The above fine includes costs of incarceration and/or supervision in the amount of \$ _____

RESTITUTION

The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case will be entered after such determination

XX The defendant shall make restitution to the following payees in the amounts listed below

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below

<u>Name of Payee</u>	<u>*Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
Discover Financial Services Attn: Restitution Clerk P O Box 3005 New Albany, Ohio 43054 RE: 6011	\$58,531.15	\$58,531.15	100%
Totals:	\$ 58,531 15	\$58,531.15	

INTEREST ON FINES AND RESTITUTION

The defendant shall pay interest on any fine or restitution of more than \$2,500 00, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

xx The court has determined that the defendant does not have the ability to pay interest on any fine and/or restitution, and it is ordered that

xx The interest requirement is waived

 The interest requirement is modified as follows

Defendant: TOBECHI ENYINNAYA ONWUHARA
 Case Number: CR03-0011C

Judgment--Page 6 of 6

SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment, (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

Payment of the total fine and other criminal monetary penalties shall be due as follows:

A XX in full immediately; or

B \$ immediately, balance due (in accordance with C, D, or E), or

C not later than ; or

D in installments to commence day(s) after the date of this judgment. In the event the entire amount of criminal monetary penalties imposed is not paid prior to the commencement of supervision, the U.S. probation officer shall pursue collection of the amount due, and shall request the court to establish a payment schedule if appropriate; or

E in (*e.g., equal, weekly, monthly, quarterly*) installments of \$ over a period of year(s) to commence day(s) after the date of this judgment

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed

Special instructions regarding the payment of criminal monetary penalties

XX MAKE CHECK(S) FOR ALL CRIMINAL MONETARY PENALTIES, INCLUDING SPECIAL ASSESSMENTS, FINES, AND RESTITUTION, PAYABLE TO

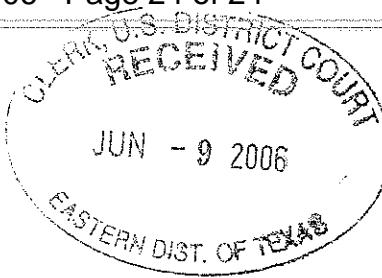
United States District Court Clerk, Western District of Washington For restitution payments, the Court is to forward money received to Discover Financial Services, Inc See address on page 5 of this judgment

— The defendant shall pay the cost of prosecution

— The defendant shall forfeit the defendant's interest in the following property to the United States

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment payment of criminal monetary penalties shall be due during the period of imprisonment All criminal monetary penalty payments, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program, are to be made as directed by the court, the probation officer, or the United States Attorney

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK
700 STEWART ST., LOBBY LEVEL
SEATTLE, WASHINGTON 98101



BRUCE RIFKIN
District Court Executive
Seattle, Washington

May 26, 2006



Clerk's Office
U.S. District Court
Eastern District of Texas
300 Willow Street
Beaumont, TX 77701

RE: USA v. Tobeichi Enyinnaya Onwuhara
YOUR CASE NUMBER:
OUR CASE NUMBER: CR03-0011C

Dear Clerk:

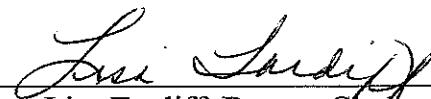
Pursuant to the Order Transferring Probation Jurisdiction in the above-captioned case, enclosed are certified copies of:

- | | |
|----------------------|--|
| <u> ✓ </u> | Docket sheet |
| <u> ✓ </u> | Indictment or Information |
| <u> ✓ </u> | Judgment & Commitment |
| <u> ✓ </u> | Plea Agreement FILED UNDER SEAL |
| <u> ✓ </u> | Financial Case Record (from Financial Dept.) |
| <u> ✓ </u> | Other: Certified copy of Order Transferring Jurisdiction |

Please acknowledge receipt of the above documents by returning the enclosed copy of this letter.

Sincerely,

BRUCE RIFKIN, DISTRICT COURT EXECUTIVE

By: 
Lisa Tardiff, Deputy Clerk

Enclosures
cc: AUSA, USPO
FLU Unit - U.S. Atty's Office